

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUSAN K. TOOR,

Plaintiff,

v.

MORTGAGEIT, INC., et al.,

Defendants

No. C-09-2850 MMC


**ORDER DENYING AS MOOT
DEFENDANT MORTGAGEIT, INC.'S
MOTION TO DISMISS AND MOTION TO
STRIKE**

Before the Court are defendant MortgageIT, Inc.'s ("MortgageIT") motion to dismiss and motion to strike, both filed July 3, 2009. Also before the Court is plaintiff Susan Toor's ("Toor") Notice of Dismissal of Defendant MortgageIT, Inc., filed July 23, 2009, by which Toor has voluntarily dismissed her claims against MortgageIT.

In light of the voluntary dismissal of Toor's claims against MortgageIT, MortgageIT's motion to dismiss and motion to strike are hereby DENIED as moot.¹

IT IS SO ORDERED.

Dated: July 28, 2009


MAXINE M. CHESNEY
United States District Judge

¹The August 14, 2009 hearing is VACATED.